



Practitioner's Docket No. PHO-104

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Wachter et al.

Application No.: 09/096,832

Group No.: 3738

Filed: June 12, 1998

Examiner: Thomas C. Barrett

For: Improved Methods And Apparatus For Multi-Photon Photo-Activation Of Therapeutic Agents

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RE-PETITION TO ACCEPT COLOR PHOTOGRAPHS

1. Petition is hereby made to accept color photographs in this case. This Re-petition is in response to the decision on petition to accept color photographs of September 13, 2006 denying the petition of October 1, 2004.

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10\*

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37 C.F.R. 1.8(a)

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☐ Since the filing of correspondence under ☐ 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition. ☐ Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(Petition to accept photograph(s) as drawings) page 1 of 2)

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2. The reason(s) why color photographs is/are necessary in this case is/are as follows:

Fig. 8(a) shows a comparison of single-photon and two-photon excited fluorescence of the dye molecule Coumarin-480 distributed evenly throughout a block of agarose gelatin. While Fig. 8(b) illustrates what is shown in Fig. 8(b) in a black-white drawing, Fig. 8(a) provides a much clearer understanding as the pictures show the colors of the light and the actual phenomena.

Applicants are including (in addition to ones previously submitted):

- (1) three sets of color drawings;
- (2) black and white photocopy of drawings; and
- (3) requested amendment to specification.

4. The petition fee (37 C.F.R. 1.17(i)) is paid as follows:

Please charge Account No. 50/1039 for the petition fee and any fee deficiency, or credit said Account for any overpayment.

  
SIGNATURE OF PRACTITIONER

Reg. No. 34,225

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